

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

GRAY CASUALTY AND SURETY COMPANY

Plaintiff

V.

FSA TRUCKING, INC. ET AL.,

Defendants.

)
)
)
)
)
)
)
)
)

Case No: 5:22-cv-678-LCB

REPORT OF THE PARTIES' PLANNING MEETING

1. The following persons participated in a Rule 26(f) conference on July 26, 2022:

Joshua Chesser and Hannah Lafrance, representing the Plaintiff, Gray Casualty and Surety Company (“Gray”)
Lee Durrett, representing a Defendant, Eagle Capital Corporation
Charles Parnell, representing a Defendant, Alexander Winton & Associates
2. Initial Disclosures. The parties will complete by August 16, 2022 the initial disclosures required by Rule 26(a)(1).
3. Discovery Plan. The parties propose this discovery plan:
 - (a) The parties do not expect there to be substantial discovery in this matter, if any. If discovery is needed, it will likely be regarding the defendants’ claims against the Bond or FSA Trucking, Inc.’s defenses.
 - (b) To the extent any discovery is needed, discovery can be completed by March 3, 2023.
 - (c) A maximum number of 25 interrogatories by each party to another party, with answers due February 17, 2023.
 - (d) A maximum number of 25 requests for admission, with responses due February 17, 2023.
 - (e) A maximum number of 5 depositions by each party.
 - (f) A two-hour limit on the length of depositions.
 - (g) December 30, 2022 deadline for exchanging reports of expert witnesses.
 - (h) March 3, 2023 deadline for supplementations under Rule 26(e).

4. Other Items:

- (a) The parties do not ask to meet with the court before a scheduling order.
- (b) May 19, 2023 is the requested date for pretrial conferences.
- (c) November 1, 2022 is the requested final date for the Plaintiff to amend pleadings or to join parties.
- (d) November 1, 2022 is the requested final date for the Defendant to amend pleadings or to join parties.
- (e) April 7, 2023 is the requested final date to file dispositive motions.
- (f) Due to the nature of this Interpleader action, settlement is unlikely.
- (g) Due to the nature of this Interpleader action, alternative dispute resolution is unlikely. However, if mediation becomes suitable, and if necessary, it will be conducted before trial.
- (h) April 29, 2023 is the requested final date for submitting Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition, and exhibit lists.
- (i) May 26, 2022 is the requested final date to file objections under Rule 26(a)(3).
- (j) A one day bench trial on June 30, 2023 is the suggested trial date and estimated length.

Date: August 10, 2022

Respectfully submitted,

KREBS FARLEY & DRY, P.L.L.C.

/s/ Joshua K. Chesser

JOSHUA CHESSER (Al. Bar #0650H45C)
2204 Whitesburg Drive, Suite 302
Huntsville, AL 35801
Telephone: 256-261-2531
Facsimile: 504-299-3582
E-mail: jchesser@krebsfarley.com

/s/ Hannah N. Lafrance

Hannah N. Lafrance (pro hac vice)
LA Bar No. 39241
400 Poydras Street, Suite 2500
New Orleans, Louisiana 70130
Telephone: (504) 299-3570
Facsimile: (504) 299-3582
E-mail: hlafrance@krebsfarley.com

**ATTORNEYS FOR GRAY
CASUALTY & SURETY COMPANY**

Date: July 27, 2022

/s/Charles N. Parnell
Charles N. Parnell, III
AL Bar No. PAR016
PARNELL & PARNELL, P.A.
Post Office Box 2189
Montgomery, AL 36102-2189
Telephone: (334) 832-4200
Facsimile: (334) 293-3550
cnparnell@parnellsoutheast.com

Counsel for Alexander, Winton & Associates, Inc.

Date: July 28, 2022

/s/ James P. Wilson
JAMES P. WILSON, JR. (AL BAR NO. WIL285)
jwilson@mitchellmcnutt.com
MITCHELL, MCNUTT & SAMS
215 5th Street North
Post Office Box 1366
Columbus, Mississippi 39703-1366
Telephone: 662.328.2316
Facsimile: 662.328.8035

Attorney for Defendant, Eagle Capital Corporation